## RETIREMENT OF PROFESSOR ALAN WERTHEIMER

Mr. LEAHY. Mr. President, Vermont is a State filled with extraordinary people who lead extraordinary lives. We take great pride that despite our modest geographical size, Vermont produces people whose voices, commitment and accomplishments transcend our borders and leave a lasting impact on the world in which we live.

Later this spring, one such Vermonter will be moving on to a new chapter in his life. Professor Alan Wertheimer, the John G. McCullough Professor of Political Science at the University of Vermont, will be retiring after over 35 years of teaching.

Professor Wertheimer is a distinguished scholar, having authored a number of highly acclaimed books. He has taught thousands of students over the years, including many members of my staff. He has been active in the affairs of the university and the community. His wife Susan and their children have been by his side every step of the way.

The role of scholars in shaping our society has been debated for thousands of years. Professor Wertheimer leaves in his wake a whole generation of students who he helped grapple with some of the most difficult and complex political and philosophical questions of our time, in a relevant, provocative and memorable style.

We in Vermont owe an enormous debt to Professor Wertheimer. He chose to grace our State university with his presence for his entire academic career. Thousands of Vermonters and students from all over the country and the world have had their lives enhanced by his dedication and scholarship.

I ask unanimous consent that a recent article in the Vermont Quarterly about Professor Wertheimer be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### WHAT DOES PROFESSOR WERTHEIMER THINK?

(By Kevin Foley)

Bright as they are, try as they will UVM's first class of Honors College students can't always figure that one out, but they just might learn to define and defend their own thoughts in the process. Inside the Honors Ethics Seminar, where a college's debut is sparked by a venerable professor's swan song.

Alan Wertheimer's method is the question, and right now, as a high-wattage October sun pours in and illuminates the buttery walls of his Allen House honors college seminar room, the question is this: ''Is Alan Wertheimer tall?''

Well, no, not in modern-day America. But in the 18th century? Among the diminutive Bayaka, a Central African pygmy tribe? Among political theorists, where Wertheimer cuts a large figure because of decades of work illuminating crucial concepts in ethics and law like coercion? Who is to say? Perhaps Wertheimer, who goes about five-seven in his teaching clogs, really is tall.

But there's no time for that now. The professor has moved on to another proposition, another question.

Wertheimer, who is the John G. McCullough Professor of Political Science to his colleagues and ''Big Al'' to his honors students (offering another data point on the contingency of height), is ending his 37-year career at the University with a beginning: Along with philosopher Don Loeb, Wertheimer, who is retiring at the end of this academic year, developed a two-semester course in ethics that all 90 students enrolled in the new Honors College are taking. (See ''Your Honor,'' below.) The idea is to provide these talented first-year students, a diverse group of future environmental engineers, doctors, English teachers, and software developers, a shared intellectual experience that cuts across every academic discipline and profession.

But the universal applicability of ethics—we all, after all, have strong notions of right and wrong, fair and unfair, whether to hand back the overpriced grocery store's miscounted change or keep it—is also a potential trap, at least if you've got a group of 15 very young, very bright, and very vocal students. Loeb puts it this way: ''When you teach particle physics, nobody tries to come in with equally valid opinions on whether mesons have mass.'' Ethics is different: whether or not protestors should mass inspires more passionate opinions than the properties of sub-atomic matter.

But in the Honors College, emoting is not thinking. Opinion is not analysis. Instructors need to spark a lively discussion (generally an easy task with this crowd, even when the subject is Plato's Crito), but also to manage it, keeping the conversation aligned with the readings, and helping members of the class interrogate their classmates' ideas, and their own. Voicing your thoughts is great; defending them well is something else entirely. Something better. And putting logic into opinions is where Wertheimer's teaching excels.

The professor proffers another statement to the class, ''It is not wrong to download music even if it violates the law.'' The students are supposed to reply true, false, or don't know, but once again, a statement quickly morphs into an interrogatory and the discussion surges. Passions rise—was that a telltale flash of porcelain iPod earbuds in the messenger bag across the table?—as the first-years come to a somewhat sheepish consensus: when it comes to illegally downloading music, fine, true, cool. Wertheimer winces. It is early in the semester, after all. (Or was that a smile?) The seminar soon rumbles on to categorizing a statement about the existence of God. The group opinion here, just barely, is ''don't know.''

Questions, questions, questions. But few answers from Wertheimer: none today, in fact. At a different time, in the more relaxed confines of his corner office on the top floor of Old Mill, the professor sits under a Chicago Art Institute poster depicting a bright horseracing scene, and explains why.

''The job is not to answer the question,'' he says. ''It's to get them to think about it more rigorously.''

### AN ORDERLY MIND

The method is the question: Reading Consent to Sexual Intercourse, Wertheimer's most recent book and a tome far less racy than its title might imply, illustrates the power of carefully chosen, interlocking queries. With a characteristic intellectual flip, Wertheimer's discussion is not so much about the obvious ''when does no mean no?''—that's morally clear, he thinks, or should be—but when does yes really mean yes.

Think about that: when does yes really mean yes? It can make your skull vibrate, even before the professor launches into nearly 300 pages of tricky cases and complicated theories. Can a retarded person truly consent to sex? A coerced one? Someone deceived, egregiously or subtly? Someone drunk? And those scenarios are only the beginning.

Wertheimer doesn't present a grand theory, an overarching vision, a huge program for social change. That's not his style. Instead, he offers a lot of thorough discussion of complicated cases, and some focused theories for hashing through them. This is not to say that the book lacks moral vision, however. Wertheimer's philosophical peregrinations leave him convinced that sexual deception, a matter largely ignored by the law, needs to be taken more seriously. Why should the law say so much about commercial deceits, when dollars are at stake, and so little about sexual lies, which cost so much emotionally?

Lawyers like to say that ''hard cases make bad law,'' and they well may, but Wertheimer's gifts for sustained, precise and dispassionate analysis at least makes them into compelling theories. The books that Wertheimer built his intellectual reputation with, Coercion and Exploitation, take similarly knotty philosophical areas and methodically think through them in ways that are useful to political theorists, philosophers, and lawyers. More than useful: One reviewer said of Exploitation that ''no one interested in the topic will be able to ignore this classic work.'' Wertheimer's scholarly appeal, says his colleague Robert Pepperman Taylor, a fellow political science professor and dean of the Honors College, comes down to the clarity and rigor of his approach.

''These are issues which people tend to wax rhetorical about, but Al brings his extremely clear analytical mind to bear on problems that can raise a lot of heat, a lot of passion, a lot of rhetoric,'' Taylor says. ''He insists that we speak clearly about these things and understand them clearly.''

Wertheimer's career, unlike his writing and thinking, hasn't always taken the clearest and most logical path from point A to B. The professor, in fact, attributes many of his professional breakthroughs to good fortune; a fellowship at Princeton led to his first book, a semester spent teaching law at the University of San Diego contributed to his latest book. Now, after stepping down from his full-time duties at UVM, Wertheimer will spend a year at the National Institutes of Health, working on issues of coercion and consent in medical research.

''Things happen,'' he says. ''Truth be told, that's the story of a lot of my career—anybody's career—things happen. Each opportunity led to new opportunities. I suppose it's true that the rich get richer; and, while I'm not exactly rich, I have gotten intellectually richer.''

### SHARING THE WEALTH

In casual conversation, Wertheimer is genial and amusing, fairly soft-spoken, prone to answer questions after one of the stretches of contemplation that make him a formidable bridge player. In the classroom, he's loud and kinetic (''I think he shocks the kids a little,'' a colleague says, ''because he is passionate—very passionate—about things that maybe they never know anyone cared about'') as he explores and tests his students' logic.

''To make a class of the kind I teach go well, you need at least four or five articulate, bright students,'' Wertheimer explains. ''One or two isn't enough: You need a critical mass. If you have that, you get the others going.''

In the honors seminar, Wertheimer has his requisite fluent five and then some, and while the discussions are lively, the conversation isn't always totally satisfying for

the students. As the class spent a fall semester wrestling with abortion, inheritance, Plato, and the war in Iraq, their frequent tendency was to try to gauge what Big Al, the compact seer in the front of the room, thought. But after nearly 40 years of undergraduate teaching, Wertheimer is wily about concealing his personal views behind a Socratic screen when it suits his pedagogical purposes.

First-year honors student Kevin Ohashi, an electric-haired computer jock who spent his last two years of high school in Kathmandu, says that sphinx-like quality drove some of his classmates nuts. ''Professor Wertheimer loves to play the devil's advocate,'' Ohashi says. ''In class he would take the side that most people weren't on and propose a hypothetical situation that started tilting things his way, and then he might switch again. I thought it was great.''

Ohashi says that the result of all those hours of discussion, at least for him, wasn't a messenger bag full of new ideas or a changed sense of moral purpose. Instead, in conversations with friends from the honors floor and elsewhere, he has over time found himself defending his old ideas with more confidence and care. Ohashi's experience echoes a theme common in letters from Wertheimer's former students: They often say things like ''I never knew what it meant to think through a problem before.''

INTELLECTUAL ATMOSPHERE

The professor got involved with creating the inaugural honors seminar (hardly a relaxed way to spend one's last year before retirement) because his experiences on the UVM faculty and as a UVM parent left him convinced that the campus needed a more intellectual culture.

If we're successful, we'll have created an intellectual environment,'' he says. ''We toyed with the idea of having some variation in content between sections of the first-year seminars, but we dropped that, precisely so that people can engage in a common experience.''

Honors students live together, study together, and play together. But the honors experience operates in quieter, more personal ways as well. Rahul Mudannayake, a first-year pre-med honors student from Sri Lanka, says that some of the class readings and discussions have haunted him, especially a particular essay by the famous Princeton philosopher Peter Singer. In the essay, ''Rich and Poor,'' Singer outlines the vast discrepancies between wealth and poverty in the world, and insists that the wealthy have an obligation to assist. (Singer also visited campus to speak and meet with students in the class.) After the end of the fall semester, Mudannayake went home to Sri Lanka, just before the tsunami struck and devastated the country's coastal areas. The student did what he could, helping to ferry food and medicine to affected regions in the days after the tragedy, but the calamity made the ethical arguments he heard in the seminar, especially Singer's, immediate.

''The class has stayed with me in my life,'' Mudannayake says. ''Spending a $1.50 here on a bottle of soda is difficult, considering what I read, what I saw in Sri Lanka. The way I spend my money now is totally different, and Wertheimer and Singer are part of that.''

And here is where Al Wertheimer's questions finally end with an answer: A student thinking through the issues and making a personal choice, arrived at with rigor.

SIDEBAR 1

Your Honor

Students at the University's newest college live and learn together and, proponents of the program say, their debates, excitement and activities will enrich the entire academic atmosphere of campus.

It works like this: The campus-wide Honors College accepts about 100 of the most gifted first-year students enrolling at the University, regardless of major, and throws them together for a intense program of social events, a two-semester in-depth seminar class (for now, the ethics course developed by Wertheimer and Loeb), special lectures from big-name intellectuals and, in most cases, living on an all-honors floor at Harris/Millis.

By 2007, as successive classes enroll, the program will grow to encompass about 700 students (sophomores can apply for admission; college organizers wanted to give students who don't catch fire academically until they reach UVM a chance to participate in the program, which includes perks like priority class scheduling), supporting and extending existing college-level honors programs. Down the line, honors students will live in the new $60 million University Heights Student Residential Learning Complex, creating a Harvard or Oxford-style ''residential college.''

SIDEBAR 2

A Teacher's Tribute

On April 15, a daylong symposium in Old Mill will celebrate Alan Wertheimer's intellectual life in a manner befitting the man. Instead of gold watches and encomiums, judges, politicians and scholars will gather for a program on ethics in public life. The event will feature former Vermont Gov. Madeleine Kunin; Vermont Supreme Court Associate Justice John Dooley; and Harvard University's Arthur Applebaum, Dennis Thompson, and Nancy Rosenbaum. The discussion will range from Iraq to judicial activism and gay relationships to presidential campaign ethics. All events are free and open to the public; and, of course, Professor Wertheimer will be there doing what he does, asking questions, listening closely, weighing arguments, thoughtfully negotiating the tricky philosophical waters of politics and life.

## ADDITIONAL STATEMENTS

### CENTENNIAL CELEBRATION OF THE COLLEGE OF ST. CATHERINE

● Mr. DAYTON. Mr. President, I rise today to offer my heartfelt congratulations to the College of St. Catherine, in St. Paul, MN, on the celebration of its centennial year. St. Catherine is our country's largest Catholic college for women. Its numerous academic achievements would be impressive for a college of any size, but for an institution with fewer than 5,000 students, such accomplishments are downright spectacular.

Since its founding 100 years ago, the College of St. Catherine has expanded its student body from high school and lower division college students to include associate, bachelor's and graduate degree candidates in more than 60 fields. In 1937, St. Catherine became the first Catholic college to be awarded a chapter of the national honor society, Phi Beta Kappa.

Today, the College of St. Catherine continues to distinguish itself as a leading institution for women's education. Its ''Women of Substance'' series features lectures and performances of theatre, music, and dance by female speakers and artists from around the world. In the classroom, the college's new ''Centers for Excellence'' focus on the role of women in such diverse fields as public policy, spirituality, and health.

Annually, the College of St. Catherine graduates more nurses than any other college or university in Minnesota. It is second only to the much larger University of Minnesota in the number of public school teachers it has educated and placed in the State's capital city of St. Paul.

Along with all of the Minnesotans whose lives have benefited from the talents, professionalism, and leadership of St. Catherine's outstanding graduates, I would like to say thank you. The College of St. Catherine's commitment to the highest standards of academic excellence and social responsibility have enriched the lives of its students and its State's citizens for a century. I congratulate the faculty, staff, alumnae, and students of the College of St. Catherine on their 100 years of excellence. I know that they will continue their great tradition for the next 100 years.●

### IN HONOR OF THE MIRACLE LEAGUE

● Mrs. BOXER. Mr. President, I take this opportunity to recognize the Miracle League, an organization dedicated to providing opportunities for all children to play baseball, regardless of their abilities.

In 1997, Coach Eddie Bagwell of the Rockdale Youth Baseball Association in Atlanta, GA, noticed a young boy in a wheelchair on the sidelines at all of the youth baseball team's practices and games. The enthusiasm and excitement that this boy had for baseball was inspiring and it was then that Coach Eddie realized that youth with disabilities ought to have the same opportunities as others to play ball.

In 1988, Coach Bagwell formed the Miracle League, a youth baseball league designed to allow children of all abilities to participate in our Nation's favorite pastime—baseball. The league started with 35 children. The following year, the number more than doubled, with 80 children clamoring to join a team. Since the Miracle League was breaking new ground, it came up with five rules to play by: every player bats once each inning; all base runners are safe; every player scores a run before the inning is over (last one up gets a home run); community volunteers serve as ''buddies'' to assist the players; and each team and each player wins every game.

As word spread quickly, Miracle League baseball teams were started across the country. In my home State of California, there are now four Miracle League teams: in Belmont, Westminster, Ventura County, and Visalia. Nationwide, there are more than 50 Miracle League teams.

I commend the Miracle League for its philosophy that ''Every Child Deserves